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Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

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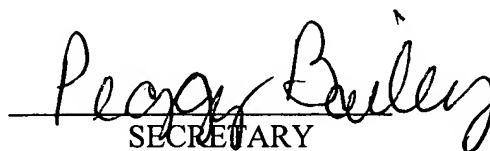
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Application Number	10/690,947
Filing Date	October 22, 2003
First Named Inventor	Jane Hirsh
Group Art Unit	
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		5,278,201		Dunn, et al.	01-11-1994	
		5,278,202		Dunn, et al.	01-11-1994	
		5,283,065		Doyon, et al.	02-01-1994	
		5,292,533		McMahon, et al.	03-08-1994	
		5,292,534		Valentine, et al.	03-08-1994	
		5,320,616		Magruder, et al.	06-14-1994	
		5,324,519		Dunn, et al.	06-28-1994	
		5,328,697		Raman, et al.	07-12-1994	
		5,334,392		Cuine, et al.	08-02-1994	
		5,334,393		Bougaret, et al.	08-02-1994	
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		5,356,635		Raman, et al.	10-18-1994	
		5,358,723		Ghebre-Sellassie	10-25-1994	
		5,362,424		Lee, et al.	11-08-1994	
		5,366,738		Rork, et al.	11-22-1994	
		5,368,859		Dunn, et al.	11-29-1994	
		5,368,862		Colegrove	11-29-1994	
		5,393,765		Infeld, et al.	02-28-1995	
		5,397,574		Chen	03-14-1995	
		5,407,686		Patel, et al.	04-18-1995	
		5,413,572		Wong, et al.	05-09-1995	
		5,419,918		Lundberg	05-30-1995	
		5,424,289		Yang, et al.	06-13-1995	
		5,427,798		Ludwig, et al.	06-27-1995	
		5,427,799		Valentine, et al.	06-27-1995	

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		Application Number	10/690,947		
		Filing Date	October 22, 2003		
		First Named Inventor	Jane Hirsh		
		Group Art Unit			
		Examiner Name			
Sheet	7	of	18	Attorney Docket Number	CP 107 M (1)

U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
		5,433,951		Serajuddin, et al.	06-18-1995	
		5,455,046		Baichwal	10-03-1995	
		5,462,747		Radebaugh, et al.	10-31-1995	
		5,466,460		McMahon, et al.	11-14-1995	
		5,484,607		Horacek	01-16-1996	
		5,487,897		Polson, et al.	01-30-1996	
		5,492,700		Ghebre-Sellassie	02-20-1996	
		5,498,422		Nakamichi, et al.	03-12-1996	
		5,500,227		Oshlack, et al.	03-19-1996	
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		5,543,155		Fekete, et al.	08-06-1996	
		5,554,387		Baichwal	09-10-1996	
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		5,593,694		Hayashida, et al.	01-14-1997	
		5,599,552		Dunn, et al.	02-04-1997	
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		5,603,956		Mateescu, et al.	02-18-1997	

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		5,614,218		Olsson, et al.	03-25-1997	
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		5,744,153		Yewey, et al.	04-28-1998	
		5,759,563		Yewey, et al.	06-02-1998	

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		6,056,977		Bhagwat, et al.	05-02-2000	
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		6,197,344		Chang, et al.	03-06-2001	
		6,210,714		Oshlack, et al.	04-03-2001	
		6,221,395		Maggi, et al.	04-24-2001	
		6,245,357		Edgren, et al.	06-12-2001	
		6,251,432		Mazer, et al.	06-26-2001	
		6,254,891		Anaebonam, et al.	07-03-2001	
		6,261,583		Dunn, et al.	07-17-2001	
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		6,303,144		Omura	10-16-2001	
		6,316,031		Oshlack, et al.	11-31-2001	
		6,337,091		Kim, et al.	01-08-2002	
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		6,403,120		Sherman, et al.	06-11-2002	
		6,416,786		Mulye, et al.	07-09-2002	
		6,419,952		Wong, et al.	07-16-2002	
		6,419,953		Qiu, et al.	07-16-2003	

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Sheet	12	of	18	Attorney Docket Number	CP 107 M (1)

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OTHER ART -- NON PATENT LITERATURE DOCUMENTS			
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		AL-CHAER, et al., "A new model of chronic visceral hypersensitivity in adult rats induced by colon irritation during postnatal development," <i>Gastroenterology</i> 119: 1276-1285 (2000).	
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		ANSSEAU, et al., "Controlled comparison of milnacipran and fluoxetine in major depression," <i>Psychopharmacology</i> 114: 131-137 (1994).	
		BEL & ARTIGAS, "Modulation of the extracellular 5-hydroxytryptamine brain concentrations by the serotonin and noradrenaline reuptake inhibitor, milnacipran. Microdialysis studies in rats," <i>Neuropsychopharmacology</i> 21(6): 745-754 (1999).	
		BRILEY, "New hope in the treatment of painful symptoms in depression," <i>Curr. Opin. Investig. Drugs</i> 4:42-45 (2003).	
		BRILEY, et al., "Preclinical pharmacology of milnacipran," <i>Int. Clin. Psychopharmacology</i> 11 (Suppl 4): 9-14 (1996).	
		CACCIA, "Metabolism of the newer antidepressants: an overview of the pharmacological and pharmacokinetic implications," <i>Clin. Pharmacokinet.</i> 34(4): 281-302 (1998).	
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		Cypress Bioscience, Inc., "Cypress Bioscience Inc. announces final results of milnacipran phase II clinical trial in fibromyalgia," March 21, 2003 Media Release, www.cypressbio.com .	
		DEPREZ, et al., "Which bioequivalence study for a racemic drug? Application to milnacipran," <i>Eur. J. Drug Metab. Pharmacokinet.</i> 23(2): 166-171 (1998).	
		DOYLE & HU, "A new enantioselective synthesis of milnacipran and an analogue by catalytic asymmetric cyclopropanation," <i>Adv. Synth. Catal.</i> 343(3): 299-302 (2001).	
		EISEN, "Venflaxine therapy for vulvodynia," <i>The Pain Clinic</i> 8(4): 365-367 (1995).	
		Eli Lilly & Company, "New research shows cymbalta reduces anxiety symptoms associated with depression," September 18, 2003 Media Release, www.newsroom.lilly.com .	
		GHEBRE-SELLASSIE, ed., <i>Multiparticulate Oral Drug Delivery</i> , Marcel Dekker, Inc.: New York, NY (1994).	
		GIAMBERARDINO, "Recent and forgotten aspects of visceral pain," <i>Eur. J. Pain</i> 3: 77-92 (1999).	
		GUELF, "A double-blind comparison of the efficacy and safety of milnacipran and fluoxetine in depressed inpatients," <i>Int. Clin. Psychopharmacology</i> 13: 121-128 (1998).	
		HINDMARCH, "Do we need new antidepressants?" <i>Hum. Psychopharmacol.</i> 12: 115-119 (1997).	

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		Application Number	10/690,947		
		Filing Date	October 22, 2003		
		First Named Inventor	Jane Hirsh		
		Group Art Unit			
		Examiner Name			
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		HUFFMAN, et al., "Lithium alkoxides of cinchona alkaloids as chiral controllers for enantioselective acetylide addition to cyclic N-acyl ketimines," <i>J. Org. Chem.</i> 60: 1590-1594 (1995).	
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		LIEBERMAN, et al., eds., <i>Pharmaceutical Dosage Form Tablets</i> , Marcel Dekker, Inc.: New York, NY (1989).	
		LOPEZ-IBOR, et al., "Milnacipran and selective serotonin reuptake inhibitors in major depression," <i>Int. Clin. Psychopharm.</i> 11 (Suppl. 4): 41-46 (1996).	
		MOCHIZUKI, et al., "Neurochemical and behavioural characterization of milnacipran, a serotonin and noradrenaline reuptake inhibitor in rats," <i>Psychopharmacology</i> 162: 323-332 (2002).	
		MORET & BRILEY, "Effects of milnacipran and pindolol on extracellular noradrenaline and serotonin levels in guinea pig hypothalamus," <i>J. Neurochem.</i> 69(2): 815-822 (1997).	
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		Group Art Unit			
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		NALIBOFF, et al., "Evidence for two distinct perceptual alterations in irritable bowel syndrome," <i>Gut</i> 41: 505-512 (1997).	
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			Group Art Unit		
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Sheet	17	of	18	Attorney Docket Number	CP 107 M (1)

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		SHUTO, et al., "Synthesis and biological activity of conformationally restricted analogs of milnacipran: (1S,2R)-1-phenyl-2-[(S)-1-aminopropyl]-N,N-diethylcyclopropanecarboxamide, an efficient noncompetitive N-methyl-D-aspartic acid receptor antagonist," <i>J. Med. Chem.</i> 39: 4844-4852 (1996).		
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		TIGNOL, et al., "Double-blind study of the efficacy and safety of milnacipran and imipramine in elderly patients with major depressive episode," <i>Acta Psychiatr. Scand.</i> 97: 157-165 (1998).		
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		TURCOTTE, et al., "Assessment of the serotonin and norepinephrine reuptake blocking properties of duloxetine in healthy subjects," <i>Neuropsychopharmacology</i> 24(5): 511-521 (2001).		
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		VON FRENCKELL, et al., "Pooling two controlled comparisons of milnacipran (F2207) and amitriptyline in endogenous inpatients. A new approach in dose ranging studies," <i>Int. Clin. Psychopharmacol.</i> 5: 49-56 (1990).	
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